

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>ePLUS INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Civil Action No. 3:09-CV-620 (REP)</b>
	)	
<b>v.</b>	)	
	)	
<b>LAWSON SOFTWARE, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**PLAINTIFF ePLUS INC.'S NOTICE OF FILING OF  
REVISED PROPOSED JUDGMENT**

Craig T. Merritt (VSB #20281)  
Henry I. Willett, III (VSB #44655)  
**CHRISTIAN & BARTON, LLP**  
909 East Main Street, Suite 1200  
Richmond, Virginia 23219-3095  
Telephone: (804) 697-4100

Scott L. Robertson (admitted *pro hac vice*)  
Jennifer A. Albert (admitted *pro hac vice*)  
David M. Young (VSB #35997)  
**GOODWIN PROCTER LLP**  
901 New York Avenue, N.W.  
Washington, DC 20001  
Telephone: (202) 346-4000

Michael G. Strapp (admitted *pro hac vice*)  
**GOODWIN PROCTER LLP**  
Exchange Place  
53 State Street  
Boston, MA 02109-2881  
Telephone: (617) 570-1000

*Counsel for Plaintiff ePlus Inc.*

Pursuant to Fed. R. Civ. P. 58<sup>1</sup> and the Court's instructions following the return of the jury verdict in the trial of this case, Plaintiff *ePlus Inc.* ("*ePlus*"), by counsel, hereby proffers the attached revised proposed judgment reflecting the jury's verdict and the Court's rulings on non-jury issues. The revised proposed judgment is intended to reflect the jury's verdict and the Court's rulings. At the appropriate time, *ePlus* intends to submit a Fed. R. Civ. P. 50(b) motion to challenge the jury's verdict as to those claims of the patents-in-suit found not infringed.

Defendant Lawson Software, Inc. ("*Lawson*") has informed *ePlus* that it is in agreement with the revised proposed judgment and joins *ePlus* in respectfully requesting that the Court enter the revised proposed judgment filed herewith. Nonetheless, Lawson has chosen not to join in the filing of this Notice because it intends to submit a "reservation of rights." In particular, Lawson requested, and *ePlus* refused, to include language in this Notice that would purport to reserve Lawson's right to challenge the jury's verdict as to those claims of the patents-in-suit found valid and infringed. It is *ePlus*'s position that Lawson has waived its right to challenge certain aspects of the jury's verdict and this judgment because, among other things, Lawson did not raise certain claims and defenses during the jury trial.

---

<sup>1</sup> Rule 58 provides, in pertinent part, that "Every judgment ... must be set out in a separate document ...." Fed. R. Civ. P. 58(a).

Respectfully submitted,

May 11, 2011

/s/

David M. Young (VSB #35997)  
Scott L. Robertson (*admitted pro hac vice*)  
Jennifer A. Albert (*admitted pro hac vice*)  
**GOODWIN PROCTER LLP**  
901 New York Avenue, N.W.  
Washington, DC 20001  
Telephone: (202) 346-4000  
Facsimile: (202) 346-4444  
dyoung@goodwinprocter.com  
srobertson@goodwinprocter.com  
jalbert@goodwinprocter.com

Craig T. Merritt (VSB #20281)  
Henry I. Willett, III (VSB #44655)  
**CHRISTIAN & BARTON, LLP**  
909 East Main Street, Suite 1200  
Richmond, Virginia 23219-3095  
Telephone: (804) 697-4100  
Facsimile: (804) 697-4112  
cmerritt@cblaw.com

Michael G. Strapp (*admitted pro hac vice*)  
**GOODWIN PROCTER LLP**  
Exchange Place  
53 State Street  
Boston, MA 02109-2881  
Telephone: (617) 570-1000  
Facsimile: (617) 523-1231  
mstrapp@goodwinprocter.com

*Counsel for Plaintiff ePlus Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11th day of May, 2011, I will electronically file the foregoing

**NOTICE OF FILING OF REVISED PROPOSED JUDGMENT**

with the Clerk of Court using the CM/ECF system which will then send a notification of such filing (NEF) via email to the following:

Daniel McDonald, *pro hac vice*  
William D. Schultz, *pro hac vice*  
Rachel C. Hughey, *pro hac vice*

MERCHANT & GOULD

3200 IDS Center

80 South Eighth Street

Minneapolis, MN 55402

Telephone: (612) 332-5300

Facsimile: 612) 332-9081

lawsonservice@merchantgould.com

***Counsel for Defendant Lawson Software, Inc.***

Robert A. Angle, VSB#37691

Dabney J. Carr, IV, VSB #28679

TROUTMAN SANDERS LLP

P.O. Box 1122

Richmond, Virginia 23218-1122

(804) 697-1238

(804) 698-5119 (Fax)

robert.angle@troutmansanders.com

dabney.carr@troutmansanders.com

***Counsel for Defendant Lawson Software, Inc.***

/s/

David M. Young (VSB #35997)

**GOODWIN PROCTER LLP**

901 New York Avenue, N.W.

Washington, DC 20001

Telephone: (202) 346-4000

Facsimile: (202) 346-4444

dyoung@goodwinprocter.com